

387-07/GMV/PLS
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(212) 425-1900
(212) 425-1901 fax
Gina M. Venezia / Pamela L. Schultz

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SAMANTHA INTERNATIONAL CORP.

Plaintiff,

-against -

SMIRNOV GROUP INCORPORATED a/k/a
OAO SMIRNOV GROUP INC.

Defendant.

07-7468 (JFK)

**AFFIDAVIT OF SERVICE OF
ORDER TO SHOW CAUSE**

STATE OF NEW YORK

COUNTY OF NEW YORK

1. I, PAMELA L. SCHULTZ, am an attorney admitted to practice before this Court and an associate at Freehill Hogan and Mahar, LLP. Our office represents Plaintiff Samantha International Corp. ("Samantha") in the captioned action which involves a maritime attachment pursuant to Supplemental Admiralty Rule B against Defendant Smirnov Group Incorporated a/k/a OAO Smirnov Group Inc. ("Smirnov"). I make this affidavit of service based upon my personal knowledge.

2. In accordance with the Order to Show Cause signed by the Court on April 24, 2008, I served the Order to Show Cause, Memorandum in Support of Order to Show Cause, and Declarations of Patrick M. Hawkins and Gina M. Venezia with exhibits by sending the same via e-

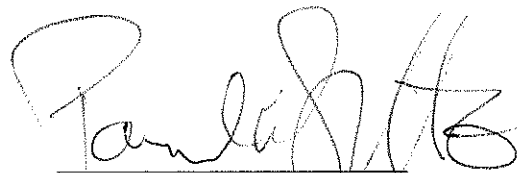
mail on April 24, 2008 at 4:53 p.m. to smirnov-so@yandex.ru. A copy of my e-mail is attached as Exhibit A.

3. I understand that this e-mail was delivered to Smirnov because I received an e-mail message one minute after sending the message which reflected in the subject line that the message was "RELAYED-OK". I attach as Exhibit B the e-mail I received. When I inquired with our computer administrator as to the meaning of this message, I was advised that the message was delivered and further that the message was not an indication that the address was invalid. I believe the e-mail address to which I sent the Order to Show Cause and related documents is a valid e-mail address, since I have corresponded with Mr. Nikolay Smirnov, the principal of Defendant Smirnov, at that e-mail address on a number of occasions, as more specifically set forth in my Affidavit of Service of Compliance with Supplemental Rule B(2) and filed with the Court on April 21, 2008.

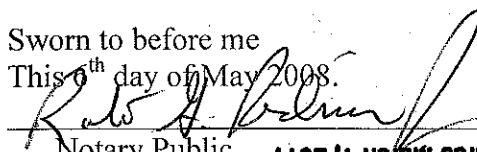
4. On the same date, April 24, 2008, I also served a copy of the Order to Show Cause and related pleadings via DHL. The DHL tracking information confirms that these documents were delivered on May 4, 2008 at 11:44 am and signed for by "Smirnov". A copy of the tracking details are attached as Exhibit C.

7. I have not heard from any representative of Defendant by telephone, e-mail, facsimile or any other form of correspondence in connection with the Order to Show Cause and related documents.

DATED: New York, New York
May 6, 2008


PAMELA L. SCHULTZ

Sworn to before me
This 6th day of May 2008.


Notary Public
Qualified in Richmond County
No. 01RI5008838
Commission Expires March 1, 2011

ROBERT G. RIDENOUR, JR.
Notary Public, State of New York
No. 01RI5008838
Qualified in Richmond County
Commission Expires March 1, 2011

SCHULTZ, PAMELA L.

From: SCHULTZ, PAMELA L.
Sent: Thursday, April 24, 2008 4:53 PM
To: 'Smirnov Nikolay'
Cc: VENEZIA, GINA
Subject: Samantha International v. Smirnov Group

Attachments: Ltr to Smirnov.pdf; OSC.pdf; MOL OSC.pdf; Hawkins Decl (short).pdf; Venezia Decl. (short).pdf

Dear Mr. Smirnov,

Please find attached a cover letter and pleadings related to the captioned matter in New York. In order to ensure that you receive all documents, we have sent them through six total e-mails. This e-mail has all of the documents without the exhibits. We will then send five separate e-mails, each of which contains the document with exhibits.

Regards,
 Pamela L. Schultz
 Freehill Hogan & Mahar
 80 Pine Street, 24th Floor
 New York, NY 10005
 Tel: 212-381-3025
 Fax: 212-425-1901



Ltr to Smirnov.pdf
 (73 KB)



OSC.pdf (140 KB)



MOL OSC.pdf (371
 KB)



Hawkins Decl
 (short).pdf (73 K...



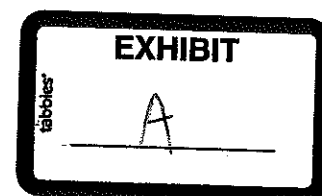
Venezia Decl.
 (short).pdf (104...

Tracking:**Recipient**

'Smirnov Nikolay'
 VENEZIA, GINA

Delivery

Delivered: 4/24/2008 4:53 PM



SCHULTZ, PAMELA L.

From: mailer-daemon@yandex.ru on behalf of The Post Office [postmaster@yandex.ru]
Sent: Thursday, April 24, 2008 4:54 PM
To: SCHULTZ, PAMELA L.
Subject: Returned mail: see the transcript [RELAYED-OK(1)]
Attachments: ATT245928.txt; Samantha International v. Smirnov Group



ATT245928.txt
(419 B)



Samantha
International v. Smir.

This is a collection of reports about email delivery process concerning a message you originated.

Some explanations/translations for these reports can be found at:
<http://zmailer.org/delivery-report-decoding.html>

If you are our customer, further help is available at email address: support@mail.yandex.ru
Reporting-MTA: dns; mxback2.yandex.ru
Return-Path: <SCHULTZ@freehill.com>
Arrival-Date: Fri, 25 Apr 2008 00:54:11 +0400
Local-Spool-ID: S2441358AbYDXUyL

RELAYED (into system not supporting DSN facility):

Arrived Recipient:

rfc822;smirnov-so%yandex.ru@mxcl.yandex.ru

Original Recipient:

rfc822;smirnov-so%yandex.ru@mxcl.yandex.ru

Final Recipient:

RFC822;smirnov-so@yandex.ru

Status:

2.5.0

Last Attempt Date:

Fri, 25 Apr 2008 00:54:13 +0400

Diagnostic Code:

smtp;250 (Delivered)

Control data:

tamail yandex.ru smirnov-so@yandex.ru 65534

Diagnostic texts:

ok

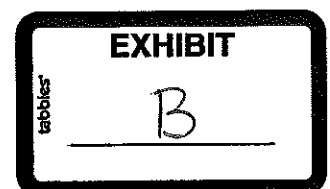
Following is a copy of MESSAGE/DELIVERY-STATUS format section below.

It is copied here in case your email client is unable to show it to you.

The information here below is in Internet Standard format designed to assist automatic, and accurate presentation and usage of said information.

In case you need human assistance from the Postmaster(s) of the system which sent you this report, please include this information in your question!

Virtually Yours,



Automatic Email Delivery Software

Reporting-MTA: dns; mxback2.yandex.ru
 Arrival-Date: Fri, 25 Apr 2008 00:54:11 +0400
 Local-Spool-ID: S2441358AbYDXUyL

Original-Recipient: rfc822;smirnov-so%yandex.ru@mxcl.yandex.ru
 Final-Recipient: RFC822;smirnov-so@yandex.ru
 Action: relayed
 Status: 2.5.0
 Last-Attempt-Date: Fri, 25 Apr 2008 00:54:13 +0400
 Diagnostic-Code: smtp;250 (Delivered)

Following is copy of the message headers. Original message content may be in subsequent parts of this MESSAGE/DELIVERY-STATUS structure.

Received: from mxfront21.yandex.ru ([77.88.32.21]:28614 "EHLO
 mxfront21.yandex.ru" smtp-auth: <none> TLS-CIPHER: <none> TLS-PEER-CN1:
 <none>) by mail.yandex.ru with ESMTP id S2441358AbYDXUyL;
 Fri, 25 Apr 2008 00:54:11 +0400

Received: from ny1.freehill.com ([38.117.166.124]:34575 "EHLO
 fhmny3.freehill.com" smtp-auth: <none> TLS-CIPHER: <none> TLS-PEER-CN1:
 <none>) by mail.yandex.ru with ESMTP id S6463761AbYDXUyB (ORCPT
 <rfc822;smirnov-so%yandex.ru@mxcl.yandex.ru>);
 Fri, 25 Apr 2008 00:54:01 +0400

X-Yandex-Spam: 1

X-Yandex-Front: mxfront21

X-Yandex-TimeMark: 1209070441

Received-SPF: none (mxfront21: 38.117.166.124 is neither permitted nor denied by domain of freehill.com;
 fakespf=pass) client-ip=38.117.166.124; envelope-from=SCHULTZ@freehill.com; helo=fhmny3.freehill.com;;
 fakespf=pass

Received: from fhmny2.freehill.com (unverified) by fhmny3.freehill.com
 (Clearswift SMTPRS 5.2.9) with ESMTP id
 <T868dc353d30a0a0d1158@fhmny3.freehill.com> for
 <smirnov-so@yandex.ru>; Thu, 24 Apr 2008 16:53:26 -0400

X-MimeOLE: Produced By Microsoft Exchange V6.5

Content-class: urn:content-classes:message

Return-Receipt-To: "SCHULTZ, PAMELA L." <SCHULTZ@FREEHILL.COM>

MIME-Version: 1.0

Content-Type: multipart/mixed;

boundary="----=_NextPart_001_01C8A64D.3F750D6C"

Disposition-Notification-To: "SCHULTZ, PAMELA L." <SCHULTZ@FREEHILL.COM>

Subject: Samantha International v. Smirnov Group

Date: Thu, 24 Apr 2008 16:53:28 -0400

Message-ID: <0AB4FD7F6022A145B0F3BC805B9D114B859B5F@fhmny2.freehill.com>

X-MS-Has-Attach: yes

X-MS-TNEF-Correlator:

Thread-Topic: Samantha International v. Smirnov Group

Thread-Index: AcimTUC+LVP29Kj7RoS9tfcs1rE/lw==

From: "SCHULTZ, PAMELA L." <SCHULTZ@FREEHILL.COM>

To: "Smirnov Nikolay" <smirnov-so@yandex.ru>
Cc: "VENEZIA, GINA" <VENEZIA@FREEHILL.COM>



Tracking

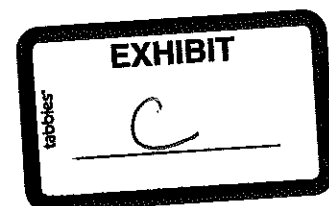
These are the results of your query

Times given are local to the service area in which the shipment checkpoint is recorded.

Air Waybill Number	Origin Service Area	Destination Service Area	Status
8172408915	New York, NY - USA	Moscow region - Russian Federation, The	Signed for by: SMIRNOV Shipment delivered May 04, 2008 11:44 ✓

8172408915 - Detailed Report

Date	Time	Location Service Area	Checkpoint Details
April 24, 2008	18:41	New York, NY - USA	Shipment picked up
April 24, 2008	23:04	New York, NY - USA	Departed from DHL facility in New York - USA
April 25, 2008	00:22	Elizabeth, NJ - USA	Arrived at DHL facility in Elizabeth - USA
April 25, 2008	00:31	Elizabeth, NJ - USA	Departed from DHL facility in Elizabeth - USA
April 25, 2008	01:17	DHL Wilmington Airpark, OH - USA	Arrived at DHL facility in DHL Wilmington Airpark - USA
April 25, 2008	02:35	DHL Wilmington Airpark, OH - USA	Transferred through DHL Wilmington Airpark - USA
April 25, 2008	05:53	DHL Wilmington Airpark, OH - USA	Departed from DHL facility in DHL Wilmington Airpark - USA
April 25, 2008	09:39	New York City Gateway, NY - USA	Departed from DHL facility in New York City Gateway - USA
April 25, 2008	22:47	Leipzig - Germany	Arrived at DHL facility in Leipzig - Germany
April 26, 2008	05:35	Leipzig - Germany	Departed from DHL facility in Leipzig - Germany
April 26, 2008	11:31	Moscow region - Russian Federation, The	Arrived at DHL facility in Moscow region - Russian Federation, The
April 26, 2008	11:46	Moscow region - Russian Federation, The	Shipment arrived at wrong facility. Sent to correct destination
April 26, 2008	13:16	Moscow region - Russian Federation, The	Departed from DHL facility in Moscow region - Russian Federation, The
April 26, 2008	13:56	Moscow - Russian Federation, The	Arrived at DHL facility in Moscow - Russian Federation, The
April 28, 2008	08:31	South of Moscow Metro - Russian Federation, The	With delivery courier
April 28, 2008	08:36	South of Moscow Metro - Russian Federation, The	Scheduled for delivery
April 28, 2008	09:08	South of Moscow Metro - Russian Federation, The	Shipment on hold
April 28, 2008	11:52	South of Moscow Metro - Russian Federation, The	Departed from DHL facility in South of Moscow Metro - Russian Federation, The
April 28, 2008	12:44	Moscow - Russian Federation, The	Arrived at DHL facility in Moscow - Russian Federation, The



April 28, 2008	16:14	Moscow - Russian Federation, The	Shipment on hold
April 29, 2008	08:38	Moscow region - Russian Federation, The	With delivery courier
April 29, 2008	10:49	Moscow region - Russian Federation, The	Address Information needed; contact DHL
April 29, 2008	23:33	Moscow - Russian Federation, The	Address Information needed; contact DHL
May 04, 2008	08:39	Moscow region - Russian Federation, The	With delivery courier
May 04, 2008	11:44	Moscow region - Russian Federation, The	Shipment delivered

Try a new search.

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